

**6:55 P.M. – Interview with
new appointees.**

CITY OF LEOMINSTER

CITY COUNCIL

JANUARY 23, 2006

**HEARING BEFORE THE CITY COUNCIL, 6:00 P.M.
(Continued from January 9, 2006)**

C-54 Relative to determining the factor to be used in setting the Fiscal Year 2006 tax rate. (Finance)

HEARING BEFORE THE CITY COUNCIL, 6:30 P.M.

C-61 Dean J. Mazzearella, Mayor: Request that eight parcels located on Laurel Street, Spruce Street and Whitney Street shown on Assessor's Map 40 as lots, 1, 2, 3, 5, 6, 6a, 16 & 17 be rezoned from Industrial to Residence C. (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 6:45 P.M.

33-06 Patrick Keating, The Tyree Company, N.E.: Amend the current license to store underground flammable liquids from 40,000 gallons to 30,000 gallons at 528 North Main Street. (Legal Affairs)

**JOINT HEARING BEFORE THE CITY COUNCIL & THE PLANNING BOARD,
7:00 P.M.**

32-06 Leominster City Council; Richard M. Marchand, David E. Rowlands, John Dombrowski, Claire M. Freda, James Lanciani Jr., Wayne A. Nickel, Dennis A. Rosa, John A. Salvatelli, and Robert Salvatelli: Amend the City of Leominster Zoning Ordinances Article II, Sections 22-163, Generally Permitted Uses to include new Subsections 16.9, 16.9.1 and 16.9.2 which will allow for the use of one undeveloped lot in a zoning district in which a desired but non-permitted residential use is sought to obtain a Special Permit of the City Council and in the case of an undeveloped lot of 1.5 acres or less in existence prior to July 1, 2005 in the Industrial Zone, the Leominster City Council may, by Special Permit, allow a non-conforming business use if it is determined that there is no present, reasonable, industrial use for the lot, and the proposed use is not contrary to the general welfare, safety, health and morals of the city. The lot and the structures thereon must comply with all dimensional zoning requirements for the Business A District as set forth in Article III Dimensional Regulations. (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

- 34-06 James Whitney, 557 Lancaster Street Realty Trust: Grant a Special Permit to allow the Academy of Dance Arts to occupy 3,000 square feet of the existing 12,000 square foot building at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443A as Lot 3. (Legal Affairs)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

COMMUNICATIONS

- C-75 Relative to the appropriation of \$8,000.00 to the Other Finance Offices Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-76 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account. (Finance)

PETITIONS

- 38-06 Christopher Grunditz: Request that Cedar Road, a paper street, be discontinued. (Legal Affairs & Public Service)

MATTERS BEFORE THE CITY COUNCIL

APPOINTMENTS

Leominster Cable Advisory Board – William C. Voedisch, Jr. – Term to expire April 15, 2008.

Emergency Management Communications Unit – Michael J. Roland

MATTERS BEFORE THE CITY COUNCIL, continued**FINANCE**

- C-54 Relative to determining the factor to be used in setting the Fiscal Year 2006 tax rate.
- C-65 Relative to the appropriation of \$190,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account. (Granted on January 9, 2006 as an Emergency Preamble; another vote is required.)
- C-66 Relative to the appropriation of \$25,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account. (Granted on January 9, 2006 as an Emergency Preamble; another vote is required.)
- C-67 Relative to the appropriation of \$100,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-68 Relative to the appropriation of \$40,000.00 to the Police Department Salary and Wages - Prior Year Expense Account; same to be transferred from the Collective Bargaining – Prior Year Expense Account.
- C-69 Relative to the appropriation of \$127,000.00 to the Police Department Capital Outlay Account; same to be transferred from the Excess and Deficiency Account.
- C-70 Relative to the appropriation of \$12,500.00 to the Forestry Regular Labor Account; same to be transferred from the Excess and Deficiency Account.
- C-71 Relative to the appropriation of \$25,311.00 to the Fire Department Salary and Wages Account; same to be transferred from the Collective Bargaining Expense – Prior Year Expense Account.
- C-72 Relative to the appropriation of \$100,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-73 Relative to the appropriation of \$43,618.00 to the Library Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-74 Relative to the appropriation of \$6,200.00 to the Highway Labor Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued**LEGAL AFFAIRS**

- C-61 Dean J. Mazzearella, Mayor: Request that eight parcels located on Laurel Street, Spruce Street and Whitney Street shown on Assessor's Map 40 as lots, 1, 2, 3, 5, 6, 6a, 16 & 17 be rezoned from Industrial to Residence C.
- 32-06 Leominster City Council; Richard M. Marchand, David E. Rowlands, John Dombrowski, Claire M. Freda, James Lanciani Jr., Wayne A. Nickel, Dennis A. Rosa, John A. Salvatelli, and Robert Salvatelli: Amend the City of Leominster Zoning Ordinances Article II, Sections 22-163, Generally Permitted Uses to include new Subsections 16.9, 16.9.1 and 16.9.2 which will allow for the use of one undeveloped lot in a zoning district in which a desired but non-permitted residential use is sought to obtain a Special Permit of the City Council and in the case of an undeveloped lot of 1.5 acres or less in existence prior to July 1, 2005 in the Industrial Zone, the Leominster City Council may, by Special Permit, allow a non-conforming business use if it is determined that there is no present, reasonable, industrial use for the lot, and the proposed use is not contrary to the general welfare, safety, health and morals of the city. The lot and the structures thereon must comply with all dimensional zoning requirements for the Business A District as set forth in Article III Dimensional Regulations.
- 33-06 Patrick Keating, The Tyree Company, N.E.: Amend the current license to store underground flammable liquids from 40,000 gallons to 30,000 gallons at 528 North Main Street.
- 34-06 James Whitney, 557 Lancaster Street Realty Trust: Grant a Special Permit to allow the Academy of Dance Arts to occupy 3,000 square feet of the existing 12,000 square foot building at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443A as Lot 3.
- 37-06 Hancock Associates, on behalf of Whitney Carriage Associates: Grant a Special Permit to remove and replace an existing retaining wall located at 122 Water Street, shown on Assessor's Map 22 as lot 1 and located within a floodplain. (A hearing is scheduled for February 13, 2006 at 7:15 P.M.)

01/23/06

OLD BUSINESS

NEW BUSINESS

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

PUBLIC SERVICE

- 48-05 Peter A. CampoBasso, Esquire for James Whitney, President and Treasurer of J. Whitney Development Inc.: Accept and layout Jordan Way as a public way.

LEGAL AFFAIRS

- 59-05 Carol D. Newell: Place a stop sign at the intersection of White Street and Ridgewood Drive.
- 99-05 Phillip McBain, Captain's Lounge Inc.: Remove the eight "No Parking" signs on the east side of Main Street from 1536 Main Street to Pine Grove Avenue.
- 100-05 Ken Ricker: Amend Chapter 13, Section 13-24.5 entitled "Parking Prohibitions – Tow Zone" to change the parking restriction on Main Street (east side) from Lakeside Avenue for four hundred fifty feet in a northerly direction from 9:00 P.M. to 6 :00 A..M. to 2:30 A.M. to 6:00 A.M.
- 105-05 Neil S. Axelrod: Amend Chapter 13, Section 13-24.5(e) to reflect a tow zone from 9:00 P.M. to 6:00 A.M on the west side of Main Street for 120 feet in a southerly direction between Ferdinand Passway and Chase Avenue.
- 19-06 David E. Rowlands: Place 20 m.p.h. speed limit signs on Haskell Avenue and Vista Avenue.
- 30-06 Paul LeBlanc and Henry Lanza, on behalf of the License Commission: Accept MGL Chapter 138, Section 12, which allows cities and towns to permit common victualers (food) who sell wine & malt beverages under MGL Chapter 138, Section 12 to also sell Liqueurs and Cordials.

Lynn A. Bouchard
City Clerk
January 19, 2006